

Subject Restoration of the civil right to vote

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Overview

This bill provides for the restoration of voting rights to individuals convicted of a felony once they have completed any term of incarceration.

Voting eligibility for individuals convicted of a felony is set by the Minnesota Constitution. Article VII, section 1 provides, in part, that a person “who has been convicted of treason or felony, unless restored to civil rights...” is not eligible to vote.

Current statutory law supplements the constitutional eligibility standard by providing that civil rights are restored after an individual’s sentence is fully discharged: when all conditions of the sentence—including probation, parole, or other supervised release—are complete. The bill would amend the statutes to provide that voting rights are lost only during the period of incarceration.

Fourteen states have adopted the system of automatic restoration proposed by this bill.

The bill also requires the secretary of state to prepare an informational publication on voting rights for individuals convicted of a crime, and requires each state and local correctional facility in the state to designate an official in each facility to provide a notice of restoration of rights and a voter registration application to individuals whose rights are restored following a release from incarceration.

Summary

Section	Description
1	Felony conviction; restoration of civil right to vote. Restores the civil right to vote to individuals who have been convicted of a felony once the individual has completed any incarceration imposed and executed for the offense. If no incarceration is imposed, the right to vote is restored upon sentencing. If the individual is later subject to incarceration for that offense, the individual loses the right to vote only during the period of incarceration.
2	Form. Requires updates to the voter registration application to reflect the change in the restoration of the civil right to vote provided by this bill.

Section	Description
3	<p>Duties of secretary of state; information about voting rights.</p> <p>Requires the secretary of state to prepare a publication that describes the voting rights of individuals who have been charged with or convicted of a crime. The publication must be electronically available to the state court administrator and the commissioner of corrections for further distribution.</p>
4	<p>Polling place roster; voter signature certificate; voter receipt.</p> <p>Requires updates to the certification signed by voters in a polling place attesting to their eligibility to vote, to reflect the change in the restoration of the civil right to vote provided by this bill.</p>
5	<p>Notice of restoration of right to vote.</p> <p>Requires the chief executive officer of each state and local correctional facility to designate one official within the facility to provide a notice of restoration of rights and a voter registration application to individuals whose rights are restored following a release from incarceration.</p> <p>Subd. 1. Correctional facilities; designation of official. Requires designation of the official, and that the official maintain a sufficient supply of voter registration applications and informational materials.</p> <p>Subd. 2. Notice requirement. Establishes standards for when a notice of restored voting rights must be provided.</p> <p>Subd. 3. Form of notice. Sets the full text of the notice that must be provided when an individual is restored to voting rights following release from incarceration.</p> <p>Subd. 4. Failure to provide notice. Provides that the failure of a corrections official to provide the notice required by this section does not prevent the restoration of voting rights.</p>
6	<p>Restoration.</p> <p>Eliminates a reference to the right to vote in an existing section of law governing the restoration of civil rights, including the right to vote and hold office, following discharge after conviction of a crime. Restoration of the right to vote would be governed by the new law established earlier in this bill.</p>



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